

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 1482

Tillmann DÖRR, *et al.*

Date: June 27, 2008

Serial No.: 10/521,891

Group Art Unit: 1794

Filed: April 18, 2005

Examiner: Anthony J. Weier

For: ISOMALTULOSE-CONTAINING INSTANT BEVERAGE POWDER

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Species Election requirement mailed June 9, 2008 with regard to the above-identified application, applicants elect, without traverse, Species A, i.e., a tea product. Furthermore, applicants believe that claims 1-11 and 22-34 encompass the elected species.

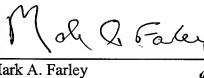
The due date for responding in this matter is July 9, 2008 and, therefore, this response is being timely filed.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON June 27, 2008.

Respectfully submitted,



Mark A. Farley
Registration No.:33,170
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

MAF:lm